

DNRC - FWP

SPOTTED DOG WILDLIFE MANAGEMENT AREA

SALE AND ACQUISITION PROJECT



Frequently Asked Questions



Why are DNRC and FWP undertaking the sale of these parcels under Land Banking?

The Montana Department of Natural Resources & Conservation (DNRC) and Montana Fish, Wildlife & Parks (FWP) proposed to transfer lands through the land exchange process in 2012. In that proposal, FWP would have received DNRC lands in the Spotted Dog, Beartooth, Sun River, and Blackleaf Wildlife Management Areas (WMAs), and DNRC would have received FWP lands in the Robb-Ledford WMA. Many public comments were received during scoping that opposed the transfer of WMA lands to DNRC and the proposal was dropped. Comments generally supported the consolidation of FWP ownership in the WMAs, but suggested FWP instead purchase the DNRC inholdings in WMAs.

What are the benefits of the Spotted Dog Land Banking sale?

This Land Banking sale would achieve FWP's goals of consolidating intermingled ownership within the Spotted Dog WMA, improving management effectiveness and efficiency and reducing the prospect of resource management conflicts that can arise from the agencies' differing missions. Specific benefits include:

- FWP would save an estimated \$47,304 per year in grazing lease payments to DNRC.
- FWP would eliminate the potential for escalating DNRC lease costs that could result from a future change in lease classification or competitive bids.
- Provide improved and consistent habitat management, weed control, and road and fence management across the WMA, eliminating the patchwork quilt approach FWP has today because of intermingled landownership. Legal access rights would be perfected for FWP within the WMA, as well as for DNRC to some DNRC lands adjacent to the WMA. The long-term integrity of wildlife habitats within the WMA would be conserved.

- DNRC would be able to use the Land Banking sale receipts to purchase replacement lands that would generate equal or greater revenues, and provide additional public access and recreational opportunities.
- Powell County would receive annual property tax payments from FWP on lands purchased from DNRC. (DNRC does not make tax payments on this property.)

How will decisions about this sale be made? How can the public get involved?

Land Banking sales require the approval of the Fish and Wildlife (FW) Commission and the State Land Board. As the agencies move forward with this proposal, the decision-making process would include public scoping, DNRC MEPA analysis with a public comment period for the sale process, FWP MEPA analysis with a public comment period for the acquisition, and opportunities for public comment to both the FW Commission and Land Board meetings.

Why must the Land Banking sale to FWP be a public auction?

The lands that FWP is seeking to purchase are public trust lands, held in trust for the benefit of the Common School beneficiaries. The Federal Enabling Act of 1889 and Montana statute (§ 77-2-321, MCA) require any trust lands to be sold at a public sale (auction).

What if another party outbids FWP?

Under the Land Banking sale program, FWP as the lessee and nominator of the sale parcels is afforded the ability to stop the sale process up to ten days before the auction occurs. Any parties wishing to bid on the sale parcels at a Land Banking auction must submit a bid deposit of 20% of the minimum bid price, 20 days before the auction. FWP would know beforehand if there would be any competitive bidders for the parcels, and would be able to cancel the auction up to ten days before the scheduled auction.

Where can I get more information?

At DNRC: Brian Robbins, phone 406-563-6078, email brobbins@mt.gov

At FWP: Julie Golla, phone 406-381-1268, email jgolla@mt.gov